

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL S. AGOVINO	:	Civil Action
	:	
Plaintiff,	:	
	:	
	:	No. 4:10-cv-00656
v.	:	
	:	Jury Trial Demanded
CHRISTOPHER BAILES	:	
	:	
Defendant.	:	

DEFENDANT'S OFFER OF JUDGMENT PURSUANT TO FED. R. CIV. P. 68
ADDRESSED TO PLAINTIFF MICHAEL S. AGOVINO

Pursuant to Fed. R. Civ. P. 68, defendant, Christopher Bailes, by his undersigned counsel, offers to allow judgment to be taken against him for money as follows:

1. That defendant pays plaintiff \$5,000.00 in satisfaction of all his claims allegedly arising out of the incident described in the complaint filed on March 25, 2010 by plaintiff against defendant.
2. That the parties bear their own costs and attorneys' fees.
3. That in consideration of the above, plaintiff dismiss this case and all claims arising out of the incident described in his complaint.

CLYMER, MUSSER, BROWN & CONRAD, P.C.

By: _____ /s/*Emily M. Bell* _____

Emily M. Bell, Esquire
PA ID No. 208855
Attorney for Defendant
408 West Chestnut Street
Lancaster, PA 17602
(717) 299-7101

Dated: January 17, 2011

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CERTIFICATE OF SERVICE

I, Emily M. Bell, Esquire of the law firm of Clymer, Musser, Brown & Conrad, P.C., do hereby certify that I served a copy of the foregoing Offer of Judgment via Electronic Case Filing on plaintiff's counsel, David C. Shipman, Esquire.

Respectfully submitted,

Clymer, Musser, Brown & Conrad, P.C.

Dated: January 17, 2011

/s/ Emily M. Bell
Emily M. Bell, Esq.
PA Attorney I.D. # 208855
408 West Chestnut Street
Lancaster, PA 17603
(717) 299-7101